

TOWN OF WINNSBORO  
ORDINANCE NO. 829

AN ORDINANCE TO AMEND THE TOWN OF WINNSBORO CODE OF ORDINANCES,  
CHAPTER 5, HISTORIC DISTRICT.

BE IT ORDAINED, by the Board of Aldermen of the Town of Winnsboro, Louisiana, convened in regular session on November 21, 1994, that the Town of Winnsboro Code of Ordinances is hereby amended as follows:

Section 5-53 is hereby deleted.

Section 5-53 is hereby amended to read as follows:

All members of the commission are appointed by the city and shall serve for designated terms and may be reappointed. The commission shall consist of not fewer than seven (7) and no more than fifteen (15) members representative of the Winnsboro area. All members of the commission shall serve for terms of four (4) years and shall be eligible for reappointment. The first commission shall have staggered terms: 1/4 with one (1) year terms, 1/4 with two (2) year terms, 1/4 with three (3) year terms and 1/4 with four (4) year terms. All commission members shall have a demonstrated knowledge of or interest, competence, or expertise in historic preservation-related disciplines of architecture, history, architectural history, or archaeology or from secondary historic preservation-related disciplines such as urban planning, American studies, American civilization, cultural geography, cultural anthropology, interior design, law, and related fields. In conformity with the "Louisiana Guidelines for the Certified Local Government Program," the city shall document a "good faith effort" to locate professionals to serve on the commission before appointing lay members. The commission shall also seek the advice, as needed, of professionals not serving on the commission.

The following sections are hereby added:

SECTION 5-57 CERTIFICATES OF APPROPRIATENESS:

No exterior feature of any resource shall be altered, relocated, or demolished until after an application for a certificate of appropriateness of such work has been approved by the commission. Likewise, no construction which affects a resource shall be undertaken without a certificate of appropriateness. Therefore,

- A. The commission shall serve as a review body with the power to approve and deny applications for certificates of appropriateness.
- B. In approving and denying applications for certificates of appropriateness, the commission shall seek to accomplish the purposes of this ordinance.
- C. A certificate of appropriateness shall not be required for work deemed by the commission to be ordinary maintenances or repair of any resource.
- D. All decisions of the commission shall be in writing and shall state the findings of the commission, its recommendations and the reasons therefore.
- E. Expiration of a Certificate of Appropriateness: A certificate of appropriateness shall, unless otherwise specified by the commission, expire twenty-four (24) months after its issuance EXCEPT THAT a certificate shall expire if work has not begun within six (6) months of its issuance. When a certificate has expired, an applicant may seek a new certificate.
- F. Resubmission of Applications: Twelve months after denial of an application for a certificate of appropriateness, the

application may be resubmitted without change. A changed application may be resubmitted at any time.

- G. Certificates of Appropriateness may be issued for distinct and separate phases of an ongoing project.

SECTION 5-58 CRITERIA FOR ISSUANCE OF CERTIFICATES OF APPROPRIATENESS:

A. General Factors:

1. Architectural design of existing building, structure, or appurtenance and proposed alteration:
2. Historical significance of the resource:
3. General appearance of the resource;
4. Condition of the resource;
5. Materials composing the resource:
6. Size of the resource;
7. The relationship of the above factors to, and their effect upon the immediate surroundings and, if within a preservation district, upon the district as a whole and its architectural and historical character and integrity.

B. New Construction:

1. In advance of new construction, steps shall be taken to insure evaluation of possible archaeological resources.
  2. The following aspects of new construction shall be visually compatible with the buildings and environment with which the new construction is visually related, including but not limited to: the height, the gross volume, the proportion between width and height of the facade(s), the proportions and relationship between doors and windows, the rhythm of solids to voids created by openings in the facade, the materials, the textures, the colors, the patterns, the trims and the design of the roof.
  3. Existing rhythm created by existing building masses and spaces between them shall be preserved.
  4. The landscape plan shall be compatible with the resource, and it shall be visually compatible with the environment with which it is visually related. Landscaping shall also not prove detrimental to the fabric of a resource, or adjacent public or private improvements like sidewalks and walls.
  5. No specific architectural style shall be required.
- C. Exterior Alteration:
1. All exterior alterations to a building, structure object, site, or landscape feature shall be compatible with the resource itself and other resources with which it is related, as is provided in section VIII, A and B, and the original design of a building, structure, object, or landscape feature shall be considered in applying these standards.
  2. Exterior alterations shall not affect the architectural character or historic quality of a landmark and shall not destroy the significance of landmark sites.

D. Demolition:

In considering an application for the demolition of a landmark or a resource within a preservation district, the following shall be considered.

1. Individual architectural, cultural, and/or historical significance of the resource.
2. Importance or contribution of the resource to the architectural character of the district, and where appropriate, the detrimental impact of the resource on the architectural character of the district.
3. Importance or contribution of the resource to neighboring property values and, where appropriate, the detrimental impact of the resource on the architectural character of the district.
4. The difficulty or impossibility of reproducing such a resource because of its texture, design, material or detail.
5. Following recommendation for approval of demolition, the applicant must seek approval of plans for the property, as set forth in Section VIII, B, prior to receiving a demolition permit and other permits. When such plans contemplate new construction, the applicant shall provide the commission with plans for this purpose, which shall include, but shall not be limited to, project concept, preliminary elevations and size plans, and completed working drawings for at least the foundation plan which will enable the applicant to receive a permit for foundation construction.
6. Applicants that have received a recommendation for demolition shall be permitted to receive such demolition permit without additional commission actions on demolition, following the commission's recommendation of a permit for new construction. Permits for demolition and construction shall be issued simultaneously if requirements of Section VIII, B, are met, and the applicant provides financial proof of his ability to complete the project.
7. When the commission recommends approval of demolition of resource, a permit shall not be issued until all plans for the site have received approval from all appropriate city boards, commissions, departments and agencies.

SECTION 5-59 PROCEDURES FOR ISSUANCE OF CERTIFICATES OF APPROPRIATENESS:

- A. Whenever any application for a certificate of appropriateness is filed with the commission, the commission shall immediately notify the city building official that the application has been filed. Similarly, whenever the city building official becomes aware that an application has been filed for a permit affecting a property under the jurisdiction of the preservation commission, the city building official shall immediately notify the commission chairman or vice-chairman, if the chairman is unavailable, that such an action has been filed.
- B. The Commission shall have the authority to determine when a filed application is complete and contains all required information. An application deemed incomplete by the commission shall not be considered to have been filed for the purposes of this ordinance. The commission shall develop standard application forms and its written guidelines shall specify what information an applicant shall attach to each form.

- C. Members of the Commission shall establish a regular schedule for hearings on the commission. One hearing shall be scheduled for each month unless no application for a certificate of appropriateness has been submitted. However, the commission has to meet at least once every three (3) months even if no applications for a certificate of appropriateness have been submitted.
- D. The applicant shall, upon request, have the right to a preliminary conference with the commission staff or the chairman or vice-chairman for the purpose of learning whether changes or adjustments to the application could make it more consistent with the commission's standards.
- E. Not later than six (6) days before the date set for the said hearing, the city building official shall mail notice thereof to the applicant at the address in the application and to all members of the commission.
- F. Notice of the time and place of a scheduled public hearing on an application for a certificate of appropriateness shall be given by publication in a newspaper having general circulations in the city at least four (4) days before such hearing and by posting such notice on the bulletin board in the lobby of city hall.
- G. At the scheduled public hearing, the applicant for a certificate of appropriateness shall have the right to present any relevant information pertaining to the application. Likewise, the city, the commission and its staff, and members of the public shall have the right to present any additional relevant information pertaining to the application. The commission shall issue rules of procedure specifying in detail how a public hearing shall be conducted and when comments and information from different sources shall be heard.
- H. The commission, at either a preliminary conference or at a public hearing, shall have the right to recommend changes and modifications to enable the applicant to meet the requirements of the commission. If the commission chooses to do this at a preliminary conference after an application for a certificate of appropriateness has been filed, then the time during which the commission must render its decision, as set forth below in Paragraphs I. and J, shall be extended by thirty (30) days in order to permit the applicant to prepare any new drawings or other submissions which prove necessary.
- I. Within not more than forty-five (45) days after the hearing on an application, the commission shall act upon it, either approving, denying, or deferring action until the next meeting of the commission, giving consideration to the factors set forth in Section VI hereof. Evidence of approval of the application shall be by certificate of appropriateness issued by the commission and, whatever its decision, notice in writing shall be given to the applicant and the city building official.
- J. Failure by the commission to reach and render a decision within sixty (60) days of the date of filing of the application with the commission shall be taken to constitute approval of the application by the commission, unless an applicant has requested that the commission delay its decision beyond the sixty (60) day period otherwise required.
- K. The issuance of a certificate of appropriateness shall not relieve an applicant for a companion building permit, special use permit, variance, or other authorization from compliance with any other requirement or provision of the laws of the city concerning zoning, construction, repair, or demolition. In all such cases, applicants are encouraged to apply first for a certificate of appropriateness as other city agencies

Will be advised by the preservation commission in making their subsequent decisions.

- L. No building permit which affects a resource shall be issued by the city official prior to the issuance of a certificate of appropriateness by the commission. Even if a building permit is not otherwise required by the city ordinances for construction, alteration, demolition, or relocation of any resource, a certificate of appropriateness from the commission is required.

SECTION 5-60 UNREASONABLE ECONOMIC HARDSHIP

When a claim of unreasonable economic hardship is made due to the effect of this ordinance, the owner of record must present evidence sufficient to prove that as a result of the preservation commission's action he is unable to obtain a reasonable return or a reasonable beneficial use. The owner of record shall submit by affidavit to the commission for its review at least the following information:

- A. Date the property was acquired by its current owner;
- B. Price paid for the property (if acquired by purchase) and the relationship (if any) between the buyer and the seller of the property.
- C. Mortgage history of the property, including current mortgage;
- D. Current market value of the property;
- E. Equity in current use and in alternative uses;
- F. Past and current income and expense statements for a two-year period;

All ordinances, or parts of ordinances, in conflict herewith are repealed, but this repeal shall be only insofar as such ordinances conflict or are inconsistent herewith.

After a public hearing was held on the above ordinance, the title having been read and the ordinance considered on a motion by \_\_\_\_\_ and a second by \_\_\_\_\_ to adopt the ordinance, a recorded vote was taken and the following result was had:

Yeas:  
Nays:  
Absent:

Whereupon, the presiding officer declared the above ordinance duly adopted on November 21, 1994.

William A. Mulkey  
City Clerk

Billy W. Cobb  
Mayor

I certify that the above ordinance was presented to the Mayor by me on the \_\_\_\_\_, 1994.

William A. Mulkey, Clerk

I acknowledge receipt of the above ordinance from the Town Clerk

AN ORDINANCE ESTABLISHING STANDARDS FOR DEMOLITION OF BUILDINGS IN THE WINNSBORO HISTORIC DISTRICT, AND ESTABLISHING A HISTORIC DISTRICT ADVISORY COMMISSION CHARGED WITH MAKING NON-BINDING RECOMMENDATIONS ON ANY ALTERATION, RELOCATION, OR NEW CONSTRUCTION IN THE WINNSBORO HISTORIC DISTRICT.

WHEREAS, on February 16, 1981, the Board of Aldermen of the Town of Winsboro authorized submission of an application to place the Winsboro Historic District on the National Register of Historic Places; and,

WHEREAS, on July 9, 1982, a particular area of the Urban Services District of Winsboro in Franklin Parish was placed on the National Register of Historic Places as the "Winsboro Historic District"; and,

WHEREAS, the Town Council is desirous of promoting the educational, cultural, and economic welfare of the public of the town, preserving and protecting historic structures and neighborhoods which serve as visible reminders of the history and cultural heritage of the city, region, state and nation, and furthermore it is the purpose of this Ordinance to strengthen the economy of the Town by stabilizing and improving property values in historic areas.

NOW, THEREFORE BE IT ORDAINED by the Board of Aldermen of the Town of Winsboro in legal session convened, as follows to-wit:

SECTION 1: DEFINITIONS

A. Accessory Structure. A detached subordinate building located on the same building site with the main building, the use of which is incidental to that of the main building.

B. Building. Any covered structure intended for shelter, housing, enclosure, or economic activities related to persons, animals, or chattels. The term "building" shall be construed to include the term "structure".

C. Historic. A building is classified as historic when it is at least fifty years of age and is of significant local, regional, or national historic, architectural, and/or cultural value.

D. Economic Return. The capacity of a building to generate revenue, in the form of fair market rents. When the fair market rents less expenses for a building equal zero, the building shall be considered incapable of generating any net economic return on its value.

SECTION 2: DEMOLITION OF HISTORIC BUILDINGS

Whenever a property owner shows that a building classified as historic and located in the Winsboro Historic District delineated in Section 3 is incapable of earning any economic return on its value, as appraised by a qualified real estate appraiser, or if new construction can be demonstrated by a property owner to be the highest and best use of the building site, such building may be demolished, provided, however, that before a demolition permit is issued, notice of proposed demolition shall be given three (3) times during a period of thirty (30) days to afford the Parish, interested person, Historic societies, or organizations the opportunity to acquire or to arrange for the preservation of such buildings.

SECTION 3: DEFINITION OF HISTORIC DISTRICT

The area of the Winsboro Services District designated as the "Winsboro Historic District" is as specified on Attachment A hereto.

SECTION 4: COMMISSION ESTABLISHED

There is hereby created a Commission to be known as the Winsboro Historic District Advisory Commission.

SECTION 5: PURPOSE

The purpose of the Winsboro Historic District Advisory Commission shall be to endorse plans as presented or, when deemed necessary, to make recommendations for changes to property owner upon all proposed alterations, relocations, and new construction within the boundaries of the Historic District and any other actions necessary to implement the intent of this ordinance. Commission recommendations shall not be binding. However, the Commission shall make itself available to assist owners of properties on which alterations, relocation, or new construction is contemplated in complying with recommendations. The commission shall also assist property owners interested in pursuing investment tax credits for historic rehabilitation to meet the requirements for that program.

SECTION 6: RECOMMENDATION AND APPOINTMENT OF MEMBERS

The Commission shall consist of five (5) members. They shall be appointed by the Mayor as follows:

- Two (2) representatives of business in the Historic District
- Two (2) property owners in the Historic District,
- One (1) other resident of the Winsboro Services District.

The Town of Winsboro Planning Commission shall furnish one ex officio member to serve in an advisory capacity.

SECTION 7: TERM VACANCIES

During the process of initiating the commission, members shall be appointed as follows: One (1) member shall be appointed for one (1) year; one (1) member for two (2) years; one (1) member for three (3) years; one (1) member for four (4) years; one (1) member for five (5) years. All re-appointments shall be for five (5) years. The members may serve consecutive terms. Any vacancy shall be filled within sixty (60) days.

SECTION 8: BY LAWS

The Commission shall make such by laws as it may deem necessary for the conduct of its affairs not inconsistent with the laws of the Parish and State. Presence of three (3) members of the Commission at a meeting shall constitute a quorum. The Commission shall meet quarterly unless there are no permit applications for alteration, relocation, or new construction in the historic district pending. Special meetings may also be held at any time on the written request of any one of the five (5) members or on the call of the Chairman of the Commission or the Mayor. The Commission shall make a report on its recommendation and activities to the Mayor and the Town Council after every meeting.

SECTION 9: STAFFING

The Winsboro Main Street Manager shall serve as staff for the Commission and such members of the Mayor's staff as he shall recommend.

SECTION 10: PROCEDURES

When application for a Building Permit for any alteration, relocation or new construction in the Winsboro Historic District is made, the Building Permits Clerk shall notify the Winsboro Historic District Advisory Commission and make available to it a copy of all required application materials submitted. The Commission shall meet with the applicant to explain its recommendations on rehabilitation plans. The major focus of any recommendations for change or endorsement of plans as presented shall be to help property owners to avoid

any action which might tend to impede present or future federal tax benefits arising from location in the Historic District.

SECTION 11: CRITERIA TO BE USED BY THE COMMISSION IN MAKING RECOMMENDATIONS

The criteria to be used by the Commission in making recommendations are as follows:

- A. To the extent feasible with economic realities, efforts should be encouraged to provide compatible uses for buildings requiring minimal building, building site, and environmental alteration.
- B. Removal, destruction, or alteration of original characteristics or unique architectural features of buildings should be discouraged.
- C. Surface cleaning of structures by the gentlest means possible should be encouraged. Sandblasting and abrasive chemical cleaning methods that will damage historic building materials should be avoided.
- D. In a rehabilitation project, use of materials matching or compatible with those already used in the building as to composition, design, color, texture, and other visual qualities should be encouraged.
- E. Contemporary design and alterations and additions to existing buildings should not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material and such design is compatible in size, scale, materials, and character to the property, neighborhood, and environment.
- F. In the case of new construction, compatibility with surrounding buildings in scale, size and materials should be encouraged.

If any provision of this ordinance or the applications thereof to any person or circumstances is held to be invalid, the application of such provisions to other persons or circumstances shall not be affected thereby.

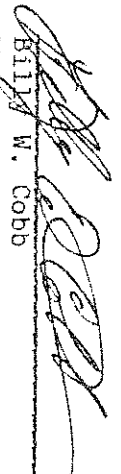
All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

After a Public Hearing was held on the above Ordinance, the title having been read, on a motion by Mr. Tucker and a second by Mr. Waller to adopt the Ordinance, a recorded vote was taken and the following result was had:

Yeas: Waller Brass, Thornhill, Tucker  
Nays: None  
Absent: Kincaid

Where upon the presiding officer declared the above Ordinance duly adopted on the 18th day of January, 1988.

  
William A. Milkey  
City Clerk

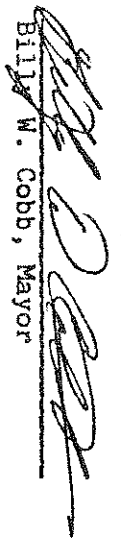
  
Bill W. Cobb  
Mayor



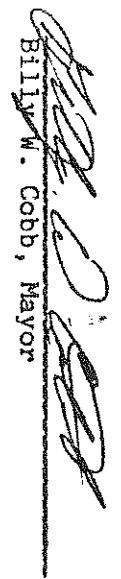
I certify that the above Ordinance was presented to the Mayor by me on January 20, 1988.

  
William A. Mulkey, Clerk

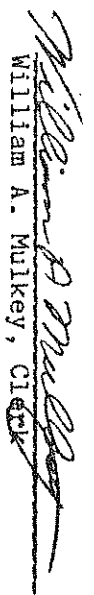
I acknowledge receipt of the above Ordinance from the Town Clerk on January 20, 1988.

  
Billy W. Cobb, Mayor

I hereby ~~affirm~~ the above Ordinance on this 20 day of January, 1988.

  
Billy W. Cobb, Mayor

I certify that the above Ordinance was received by me from the Mayor on January 20, 1988.

  
William A. Mulkey, Clerk

CITY OF WINNSBORO  
RESOLUTION NO. 03-0903

RESOLUTION TO EXPAND THE EXISTING WINNSBORO DOWNTOWN  
HISTORIC DISTRICT BOUNDARIES.

WHEREAS, the Winnsboro Downtown Historic District currently consists of the following area:

Portion of the City of Winnsboro that encompasses as a westerly boundary Common Street and an easterly boundary of Locust Street and the Cordill Street southerly boundary and Kinloch Street the northerly boundary and all streets therein; and

WHEREAS, the Winnsboro Historic District Commission is requesting the boundaries of the current district to be expanded; and

WHEREAS, the Winnsboro Downtown Historic District shall expand to encompass the following area:

All property fronting both sides of Prairie Street from Common Street on the west to Jackson Street on the east. At that point, the district shall run in a northerly direction and include all property and structures fronting both Pine and Jackson Streets to a point on the northern side of the Courthouse Square.


The western boundary of said district shall be Common Street; the northern boundary shall be Kinloch Street, including all property fronting the street on the north side. The southern boundary shall be Cordill Street, including all properties fronting said street on the north side.

All streets falling within the boundaries of said district shall be included.

NOW THEREFORE BE IT RESOLVED, by the Board of Aldermen of the City of Winnsboro, Louisiana, convened in regular session this 15<sup>th</sup> day of September 2003, that the Winnsboro Downtown Historic District expands the boundaries to include to the areas described.

On a motion by Tucker, second by Johnson the foregoing resolution was passed by the following vote:

|         |                                       |
|---------|---------------------------------------|
| Yeas:   | Mahoney, Dumas, Johnson, Tucker, Bell |
| Nays:   | None                                  |
| Absent: | None                                  |

  
Roxy Fletcher  
City Clerk

  
Jack Hammons  
Mayor